

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

EGLO GARZA AND ANGELICA

GARZA,

Plaintiffs,

v.

**EMSHVAC, LLC D/B/A EMS HOME
SERVICES,**

Defendant.

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Case No. 5:24-cv-00353

JOINT ADR REPORT

Pursuant to Local Rule CV-88 and the Scheduling Order (Doc. 12), Plaintiffs Eglo Garza and Angelica Garza (“Plaintiffs”) and Defendant EMSHVAC, LLC d/b/a EMS Home Services (“Defendant”) submit the following Joint ADR Report:

1. Status of Settlement Negotiations

The Parties have exchanged confidential settlement offers. Most recently, Defendant provided a settlement offer to Plaintiffs on September 10, 2024. Plaintiffs are evaluating Defendant’s calculations and are preparing a response.

2. Identity of Person Responsible for Settlement Negotiations

The undersigned attorney, Douglas B. Welmaker, is responsible for settlement negotiations on behalf of Plaintiffs. The undersigned attorney, Anthony G. Stergio, is responsible for settlement negotiations on Defendant’s behalf.

3. Evaluation Whether ADR is Appropriate

The Parties agree mediation is appropriate to possibly resolve this dispute.

4. Identity of Agreed Mediator

Greg Bourgeois, 3825 Lake Austin Blvd Suite 403, Austin, TX 78703. The Parties will conduct mediation prior to the deadline in the Scheduling Order.

5. How Mediator Will Be Compensated

Each party will pay their share of the mediator's fees, without waiving the right to recover such costs at the conclusion of this litigation as a prevailing party.

Respectfully submitted,

/s/Douglas B. Welmaker *with permission*

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/s/Anthony G. Stergio

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CERTIFICATE OF SERVICE

I hereby certify that on September 17, 2024, a true and correct copy of this document was served via the Court's electronic case filing system (CM/ECF) to all parties registered to receive such notice in the above captioned case.

/s/ Anthony G. Stergio

ANTHONY G. STERGIO